

### **REMARKS**

The Office Action mailed April 12, 2004, has been received and reviewed. Claims 1 through 20 are currently pending in the application. Claims 1 through 15 stand rejected. Claim 17, and claims 9, 10, 12 through 15 have been objected to for various informalities. However the indication of allowable subject matter in such claims is noted with appreciation that Claims 9, 10, 12 through 15 would be allowed if rewritten to overcome the objections. Applicants have amended claims 1, 8, 9, 10, 12, and 16 - 20 and respectfully request reconsideration of the application as amended herein.

#### **35 U.S.C. § 112 Claim Rejections**

Claims 1-15 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended claim 1 by inserting in the 6<sup>th</sup> line after “a flotation chamber” including disposed therein a catalyst consisting of buoyant particles, the flotation chamber to provide an antecedent basis for “the catalyst particles” as pointed out by the Examiner. Because claim 1, as amended, now provides an antecedent basis for “the catalyst particles”, dependent claims 2 - 7 are also in compliance with 35 U.S.C. § 112, second paragraph.

Applicants have amended claim 8 so as to replace the term “microspheres” with photocatalyst particles. It being understood that Applicants have not in any way relinquished patentable subject matter, by way of this amendment. For example, Applicants maintain the term “photocatalyst particles” readily encompasses photocatalyst particles that may be in the form of “microspheres”. Because claim 8, as amended, now provides such an antecedent basis for “photocatalyst particles” in lieu of “microspheres”, dependent claims 9 – 15 are also in compliance with 35 U.S.C. § 112, second paragraph.

### **Objections to Claims/Allowable Subject Matter**

The indication of allowable subject matter is noted with appreciation and that the pending claims would be allowed if rewritten or amended to overcome the specified objections.

Applicants have amended claims 9, 10, 12, and 17 to correct the informalties helpfully pointed out by the Examiner.

Furthermore, Applicants have amended claims 16 – 20 to delete unnecessary usages of the term “the steps of” therein as well as to delete the extraneous designations of “(a), (b), (c), (d), (e), and (f) therein.

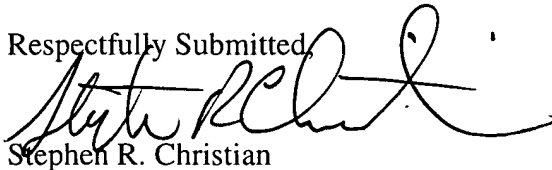
### **ENTRY OF AMENDMENTS**

The amendments to claims 1, 8 – 10, 12, and 16 - 20 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search.

### **CONCLUSION**

All of the pending claims 1 – 20 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, the Examiner is respectfully invited to contact Applicants’ undersigned attorney.

Respectfully Submitted,



Stephen R. Christian

Registration No.: 32,687

Attorney for Applicants

P.O. Box 1625

Idaho Falls, ID 83415-3899

(208) 526-9140

(208) 526-8339 - Fax

Date:

3 Aug 2004